



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,495	04/15/2004	Joerg Hennig	KREIS0006	6572

24203 7590 01/13/2005

GRIFFIN & SZIPL, PC  
SUITE PH-1  
2300 NINTH STREET, SOUTH  
ARLINGTON, VA 22204

EXAMINER

HANSEN, JAMES ORVILLE

ART UNIT PAPER NUMBER

3637

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/824,495	HENNIG, JOERG	
	Examiner	Art Unit	
	James O. Hansen	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 3-5 & 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claim 3, the phrase "each receiving portion" does not have a proper antecedent basis. In Claim 8, the phrase "said first-aid compartment" does not have a proper antecedent basis. Consequently, the remaining claims are rejected because they are dependent upon an indefinite claim.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7 & 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Swiss publication 151253. CH 253 (figures 1-2) teaches of a "medicine chest" [viewed as a chest able to house items] comprising: a chest body (1); a plurality of storage compartments (7, 8 for example); and a shutting means (11) for opening and closing the body, the shutting means being displaceable into a receiving portion (10 e.g.,) so that all the compartments are accessible at the same time, the portion being designed as a receiving compartment as readily apparent to the examiner and formed at the

Art Unit: 3637

rear of the body [note fig. 2], an inner surface of the receiving compartment (fig. 2) serves as a stop for storage compartments designed as draw-out compartments (smaller 9's e.g.); wherein the shutting means is vertically displaceable for opening/closing the chest, one storage compartment (8 e.g.) has the width of the chest body and a size that is capable of receiving a first-aid pack, a plurality of storage compartments are capable of forming a self-medication portion as best understood by the examiner and in as much as the prior art teaches a similar structure as applicant's device, wherein the self-medication portion comprises a plurality of drawers (larger 9's e.g.) capable of being provided with notes, at least one storage compartment (any of the drawers for example) is designed as an upright compartment with a flange (broadly viewed as a front wall of the drawer) capable of storing drugs in an upright position, and wherein any of the storage compartments may form a portion for individual medication as best understood by the examiner.

5. Claims 1-3 & 6-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown [U.S. Patent No. 391,506]. Brown (figures 1-3) teaches of a "medicine chest" [viewed as a chest able to house items] comprising: a chest body (A); a plurality of storage compartments (B, C for example); and a shutting means (I) for opening and closing the body, the shutting means being displaceable into a receiving portion (see fig. 2 for example) so that all the compartments are accessible at the same time, the portion being designed as a receiving compartment as readily apparent to the examiner; wherein the shutting means is vertically displaceable for opening/closing the chest, one storage compartment (B for example) has the width of the chest body and a size that is capable of receiving a first-aid pack, a hinged compartment (D) for first-aid as best understood by the examiner, a plurality of storage compartments are

Art Unit: 3637

capable of forming a self-medication portion as best understood by the examiner and in as much as the prior art teaches a similar structure as applicant's device, wherein the self-medication portion comprises a plurality of drawers (H) capable of being provided with notes, at least one storage compartment (G) is designed as an upright compartment with a flange (fig. 3) capable of storing drugs in an upright position, and wherein any of the storage compartments may form a portion for individual medication as best understood by the examiner.

6. Claims 1, 7-9 & 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Gehrs [U.S. Patent No. 3,008,785]. Gehrs (figures 1-8) teaches of a "medicine chest" [viewed as a chest able to house items] comprising: a chest body (10); a plurality of storage compartments (note compartments as viewed in fig. 1); and a shutting means (13) for opening and closing the body; wherein one storage compartment (all are) has the width of the chest body and a size that is capable of receiving a first-aid pack, a hinged compartment (21) for first-aid as best understood by the examiner, a plurality of storage compartments (any of them) are capable of forming a self-medication portion as best understood by the examiner and in as much as the prior art teaches a similar structure as applicant's device, and wherein any of the storage compartments may form a portion for individual medication as best understood by the examiner.

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. British publication 446,984, Kim, Ryan et al., French publication 1434891, Article from "Popular Science" – *Roll Front closes Cutlery*

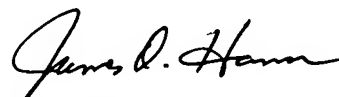
Art Unit: 3637

*Cabinet*, Australia publication 206592, Woodward, Theosabrata and Klaus describe cabinets for storing articles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 703-305-7414. The examiner can normally be reached on Mon.-Fri. 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James O. Hansen  
Primary Examiner  
Art Unit 3637

JOH  
January 7, 2005